



U.S. Environmental Protection Agency (EPA)

May 2008 Action Initiation List (as of 06/04/2008)

The following actions were initiated by EPA this month. Explanations of which EPA actions are included on this list and of each element of the table can be found at the end of this document.

The two most recent Action Initiation Lists (AILs) can always be found at: <http://www.epa.gov/lawsregs/search/ail.html>. But, they will not provide updates on the actions listed herein. Updates on the progress of these actions will be made available in EPA's upcoming *Semiannual Regulatory Agenda*, which is accessible from these Web sites:

- EPA's Laws, Regulations, Guidance and Dockets (<http://www.epa.gov/lawsregs/search/regagenda.html>)
- RegInfo.gov (<http://www.reginfo.gov/public/do/eAgendaMain>)
- Regulations.gov (<http://www.regulations.gov/fdmspublic/component/main?main=UnifiedAgenda&agency=EPA&pubperiod=200710>)

To assist you in tracking actions' progress, the RINs in the table below are also displayed in the *Semiannual Regulatory Agenda*.

RIN	Action Title	Stage	Contact	Abstract	Projected Publication Date
2060-AP22	Air Quality: Revision to Definition of Volatile Organic Compounds - Exclusion of Methyl Bromide	NPRM	Dave Sanders 919-541-3356 Sanders.Dave@epa.gov	This action proposes to revise EPA's definition of volatile organic compounds (VOC) for purposes of preparing State implementation plans (SIPs) to attain the National Ambient Air Quality Standards (NAAQS) for ozone under title I of the Clean Air Act (CAA). This proposed revision would add methyl bromide to the list of compounds excluded from the definition of VOC on the basis that these compounds make a negligible contribution to tropospheric ozone formation.	12 months or less

RIN	Action Title	Stage	Contact	Abstract	Projected Publication Date
2070-AJ41	Electronic Premanufacture Notice (PMN) Reporting under TSCA	NPRM	Kenneth Moss 202-564-9232 Moss.Kenneth@epa.gov	EPA is proposing amendments to the Toxic Substances Control Act (TSCA) section 5 Premanufacture Notification (PMN) regulations to facilitate the introduction and use of a new electronic reporting form (ePMN). Once established, chemical companies will, for the first time, be able to use the Internet, through EPA's Central Data Exchange (CDX), to submit ePMNs to EPA. EPA is also proposing to allow PMN submissions either on CD ROM or on paper until a specific date, after which time the paper form will no longer be available.	12 months or less
2070-AJ40	Lead-Based Paint Activities; Fees for Accreditation of Training Programs and Certification of Lead-Based Paint Activities Contractors	NPRM	Cindy Wheeler 202-566-0484 Wheeler.Cindy@epa.gov	As specified in section 402(a)(3) of the Toxic Substances Control Act (TSCA), EPA must establish and implement a fee schedule to recover for the U.S. Treasury the Agency's cost of administering and enforcing the standards and requirements applicable to lead-based paint training programs and contractors engaged in lead-based paint activities. Specifically, this rule proposes to establish fees to be charged in those States and Indian country without authorized programs, for training programs seeking accreditation under 40 CFR 745.225 and for individuals or firms engaged in lead-based paint activities seeking certification under 40 CFR 745.226. EPA's Federal lead program will establish fees for training programs and firms covered under the 2008 Renovation, Repair, and Painting rule and the fees will be updated (based on current economics) for training programs, firms and individuals covered under the accreditation and certification programs for lead-based paint activities.	12 months or less

RIN	Action Title	Stage	Contact	Abstract	Projected Publication Date
2040-AF00	National Primary Drinking Water Regulations: Minor Correction to National Primary Drinking Water Regulations Stage 2 Disinfectants and Disinfectant Byproducts Rule and Addition of References to the List of Methods Approved Under the Expedited Approval Process	NPRM	Thomas Grubbs 202-564-5262 Grubbs.Thomas@epa.gov	EPA promulgated the Stage 2 Disinfectants and Disinfectant Byproducts Rule on January 4, 2006 (71 FR 388). The requirements for ground water systems serving 500-9999 people were unintentionally excluded from the final rule. As a result, the rule allowed for less routine compliance monitoring than intended for this category of PWSs. These PWSs should have been required to monitor for both trihalo methanes (TTHMs) and HAA5 concentrations. Due to the error, they were only required to monitor for either TTHMs or HAA5s. EPA also needs to add a notation to methods tables currently in the regulations to indicate where readers can find the list of methods approved under the expedited process. This action will add a reference to the list of additional methods to tables in 40 CFR 141.	12 months or less
2060-AP23	Revisions to Parts 60 and 63 to Allow Accredited Stationary Source Audit Sample Providers	NPRM	Candace Sorrell 919-541-1064 Sorrell.Candace@epa.gov	40 CFR Parts 51, 60, 61 and 63 contain EPA's air-toxics emissions standards (NESHAPS) and emission standards for new stationary sources (NSPS). 40 CFR 63.7(c)(2)(ii) requires an external Quality Assurance (QA) program that at a minimum includes an application of plans for a test method performance audit during the performance test. 40 CFR Part 60 Appendices also contain similar requirements within individual test methods. Currently EPA provides these audit samples; however, this rulemaking proposes to revise 40 CFR Parts 60 and 63 to allow accredited audit providers to provide these samples.	12 months or less
2050-AG45	Standards for the Safe and Environmentally Protective Placement of Coal Combustion Products as Minefill in Coal Mines Not Regulated Under the Surface Mining Control and Reclamation	NPRM	Bonnie Robinson 703-308-8429 Robinson.Bonnie@epa.gov	This action is part of a joint rulemaking effort with the Office of Surface Mining (OSM) of the Department of Interior (DOI) using a combination of regulatory authorities available under the Surface Mining Control and Reclamation Act (SMCRA) and the Resource Conservation and Recovery Act (Subtitle D). Specifically, EPA is considering performance	12 months or less

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	Act			<p>standards for the environmentally protective placement of coal combustion products (CCPs) for filling surface or underground coal mines, referred to as minefilling, not regulated under SMCRA. CCPs are products of the combustion of coal at electric utility and independent power producing facilities. This action results from EPA's Regulatory Determination for fossil fuel combustion wastes (65 FR 32214 May 22, 2000), in which the Agency concluded that national regulations under Subtitle D of RCRA (and/or modifications to the existing regulations established under SMCRA) are warranted when these wastes are used to fill surface and underground mines. As described in the Regulatory Determination, there is sufficient evidence that adequate controls may not be in place, and that regulations are warranted. This action is also a result of a recommendation by the National Research Council (NRC, Managing Coal Combustion Residues in Coal Mines, 2006) regarding the management of CCPs in coal mines. NRC recommended that OSM and/or EPA promulgate enforceable federal regulations governing the minefilling of CCPs. In response to the NRC study, OSM published on Advanced Notice of Proposed Rulemaking on Placement of Coal Combustion byproducts (CCBs) in Active and Abandoned Coal Mines (72 FR 12026, March 14, 2007), which took comment on the appropriateness of modifying SMCRA regulations to address minefilling at mines with SMCRA permits. EPA proposed performance standards would apply to all minefilling operations using CCPs at coal mines that are not subject to the requirements under SMCRA, including regulations proposed by OSM. This action will be coordinated with the OSM proposed rule. The intended benefits of this action will be to prevent contamination or damage to ground waters and surface</p>	

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				waters, thereby avoiding risk to human health and the environment, including ecological risks.	
2060-AP24	Rule for Implementation of 2008 8-Hour Ozone NAAQS	NPRM	John Silvasi 919-541-5666 Silvasi.John@epa.gov	This rulemaking action proposes rules for implementation of the 2008 8-hour ozone National Ambient Air Quality Standard (NAAQS). EPA promulgated that standard on March 12, 2008, under section 109 of the Clean Air Act (73 FR 16436 (March 27, 2008)). The rulemaking will cover the various elements of State implementation plans that States must submit under the Clean Air Act to implement that standard. These elements include the attainment demonstration, reasonable further progress requirements, and reasonably available control technology requirements. The rule will address how to transition from the 1997 8-hour ozone standard, and also rules for classification of nonattainment areas, although the actual designation of nonattainment areas will be addressed in a separate rulemaking action. Nonattainment new source review will be addressed either in this rulemaking or in a separate rulemaking.	12 months or less

What EPA Actions Appear on the AILs?

Generally, AILs include those actions that 1) will appear in upcoming *Semiannual Regulatory Agenda* and 2) have been approved for commencement by EPA's Regulatory Policy Officer. In rare instances, an action will not appear on an AIL before it appears in the *Agenda*. Also, keep in mind that AILs will not post immediately. You can access a given month's list roughly 15 days after the close of the month (e.g., the April 2008 AIL will post sometime around May 15th).

What Does Each Column in the AIL Mean?

RIN

RIN stands for "Regulation Identifier Number." A RIN is assigned by the [Regulatory Information Service Center](#), a component of the U.S. General Services Administration, to identify each regulatory action listed in our *Semiannual Regulatory Agenda* and *Annual Regulatory Plans*. Also, RINs are included in the headings of our rules when they are published in the Federal Register to make it easier for you to track our actions. An example of an EPA RIN is 2050-AG37. It is composed of two parts. The first part (i.e., 2050) identifies which office within EPA is in charge of the action. In this case, it is the Office of Solid Waste and Emergency Response. The second part (e.g., AG37) is an alpha-numeric code automatically generated as rules are assigned a RIN.

Title

Self-explanatory.

Stage

The stage of an action describes where we are in the rule writing process, from the very beginning when a rule (or other action) is just an idea to the end when it is published as a final rule (or other action) in the Federal Register. For example, the Notice of Proposed Rulemaking (NPRM) stage announces a proposed rule or proposed modification to an existing rule. In the AILs, the following acronyms are used:

- ANPRM - Advance Notice of Proposed Rulemaking
- Direct Final - Direct Final Action
- NPRM - Notice of Proposed Rulemaking
- Supplemental - Supplemental NPRM

Contact

Self-explanatory.

Abstract

A brief summary of the action and its purpose.

Projected Publication Date

Since many variables affect how long it takes to write a rule or other action, it is impossible to predict a firm publication date when we have just started working on an action. Therefore, we insert one of two options in the "Projected Publication Date" column: 1) "12 months or less" and 2) "more than 12 months." These options give you some idea of how quickly we expect to complete an action. You may consult our *Semiannual Regulatory Agenda* every six months for updates to our estimates.